



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

**77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590**

EPA Region 5 Records Ctr.



225359

REPLY TO THE ATTENTION OF

February 23, 2000

HSE-5J

VIA TELEFAX (312) 644-9999

Raymond M. Chin
RM Chin and Associates
401 N. Michigan Avenue
Chicago, IL 60601

Re: Lindsay Light II and Grand Pier Development

Dear Mr. Chin:

This letter confirms previous conversations between your representative, Brian Lawrence and United States Environmental Protection Agency On-Scene Coordinator, Fred Micke and U.S. EPA Attorney, Mary Fulghum. In those conversations, you indicated your willingness to authorize U.S. EPA to have access to investigate conditions at your property located at the 200 block of Columbus Drive in Chicago, Illinois.


As Mr. Micke and Ms. Fulghum explained to Mr. Lawrence in a phone conversation on Wednesday, February 16, 1999 the property located across the street from your Grand Pier development is the former site of the Lindsay Light Co. From 1915 until approximately 1932, the Lindsay Light Co., 316 E. Illinois, manufactured incandescent mantles for residential and commercial building lights. Gas mantle manufacturing involves dipping gauze mantle bags into solutions containing radioactive thorium. When the Lindsay Light Co. buildings were demolished in the mid-1930s the rubble apparently was used as backfill at the site, around utilities and under the adjacent streets. This former manufacturing site that is bounded by Columbus, Grand, McClurg Court, and Illinois is known as the Lindsay Light II site. (It is called Lindsay Light II because the original facility and main offices were located at 161 East Grand.) Presently, Kerr-McGee Chemical L.L. C. and River East L.L.C. are completing a removal action at the Lindsay Light II site pursuant to an U.S. EPA administrative order issued under the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA" or more commonly known as "Superfund").

Based on its investigation of the Lindsay Light II site, U.S. EPA has determined that response actions are necessary at the site under U.S. EPA's authority pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9601 et seq. We have learned that Columbus Drive did not exist at the time the Lindsay Light Co. buildings were demolished. U.S. EPA believes it is possible that radioactive materials from the Lindsay Light Co. operations or demolition may have been placed beneath the present-day Columbus Drive and onto your property. Asphalt and concrete effectively shield the gamma radiation from this material but once the asphalt and concrete is removed there may be a potential threat to human health and the environment. You are presently removing the concrete and asphalt from your property in preparation for its development. U.S. EPA would like to conduct radiation surveillance of the exposed soils and subsurface materials to determine if radioactive materials above background levels is present.

Enclosed is a consent for access for your signature. This consent for access provides U.S. EPA and its representatives access to your property to conduct radiation surveillance and sampling and to respond to any emergency situation. Please sign this consent for access and return it to me as soon as possible, but no later than Friday, February 25. Note that this consent is for access for investigatory and emergency response purposes. If access is required for other purposes, a broader access agreement will be necessary.

Please contact me at (312) 886-3601 or Mary Fulghum, Associate Regional Counsel, at (312) 886-4683, if you have any questions concerning this matter. Thank you for your continued cooperation.

Sincerely,



Verneta Simon
On-Scene Coordinator

Enclosure

cc: Mary Fulghum, ORC
Fred Micke, OSC
Larry Jensen, Radiation Specialist
Debbie Regal, Enforcement Specialist

CONSENT FOR ACCESS TO PROPERTY
2XX Columbus Drive
Grand Pier Development

Name: Mr. Raymond M. Chin, President
Raymond M. Chin and Associates
Grand Pier Development

Address of Property: 2XX Block of Illinois Street
Chicago, Illinois

I consent to officers, employees, contractors, and authorized representatives of the United States Environmental Protection Agency (U.S. EPA) entering and having continued access to this property for the following purposes:

Conducting sampling and investigatory activity on the property;

Performing other actions to investigate contamination on the property that U.S. EPA may determine to be necessary; and

Taking any response action to address any release or threatened release of a hazardous substance, pollutant or contaminant which U.S. EPA determines may pose an imminent and substantial endangerment to the public health or the environment.

I realize that these actions taken by U.S. EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. §§ 9601-9601-9675 (1997).

This written permission is given by me voluntarily, on behalf of myself and all other co-owners of this property, with knowledge of my right to refuse and without threats or promises of any kind.

Date

Raymond M. Chin, President
Raymond M. Chin and Associates
Property Owner



United States Environmental Protection Agency

Region V

77 West Jackson Blvd.
Chicago, Illinois 60604

Office of Superfund
Emergency Response Branch

Fascimile Cover Sheet
Fax#: 312-353-9176

TO: Raymond M. Chin DATE: 2/23/2000
COMPANY: RM Chin & Associates FAX #: (312) 644-0999

FROM: Verneta Simon MAILCODE: HSG-5J
PHONE: (312) 886-3601

PAGES (including cover sheet): 4

MESSAGE:

Re: ACCESS Agreement


*** TRANSMISSION REPORT ***

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INFORMATION CODE OK
TELEPHONE NUMBER 96440999
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LAST SUCCESSFUL PAGE 004

United States Environmental Protection Agency
 Region V
77 West Jackson Blvd.
Chicago, Illinois 60604
Office of Superfund
Emergency Response Branch
Facsimile Cover Sheet
Fax#: 312-353-9176

TO: Raymond M. Chin DATE: 2/23/2000
COMPANY: RM Chin & Associates FAX #: (312) 644-0999

FROM: Veerata Suthon MAILCODE: HSC-5J
PHONE: (312) 886-3401

PAGES (including cover sheet): 4

MESSAGE:

Re: Access Agreement